

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Justin Linder,)	Case No. 3:07-cr-063-01
)	
Defendant.)	

The court convened a detention hearing and preliminary hearing for Defendant Justin Linder on October 23, 2008. AUSA Chris Meyers appeared on the Government's behalf. Attorney Jesse Lange appeared on Defendant Linder's behalf.

At the outset of the hearing Defendant Linder waived his right to a preliminary hearing in open court. The court accepts Defendant Linder's waiver, finding that it was made freely and voluntarily, knowingly and intelligently, and upon advice of counsel. Further, based upon Defendant Linder's waiver, the court finds that there is probable cause to believe that he may have committed the violations of release alleged in the petition for action on conditions of release. Accordingly, the court **ORDERS** that Defendant Linder be bound over to the United States District Court to answer to the charges set forth in the petition.

With respect to the issue of detention, the Government advised the court that it was withdrawing its motion for detention and recommending that Defendant Linder be released to the third-party custody of Centre, Inc., in Fargo, North Dakota, pursuant to an agreement it reached with defense counsel.

Accordingly, the court **ORDERS** that Defendant Linder shall be placed in the custody of Centre, Inc., in Fargo, North Dakota. Centre, Inc. subject to all of the standard and special conditions of release previously imposed in the criminal judgment entered on December 19, 2008. Centre, Inc. shall (1) supervise Defendant Linder in accordance with all conditions of supervision, (2) use every effort to assure the appearance of Defendant Linder at all scheduled court proceedings, and (3) notify the court immediately in the event Defendant Linder violates any conditions of release or disappears. Defendant Linder shall abide by all rules and regulations which Centre, Inc. may set forth in connection with his presence in its facility.

Dated this 23rd day of October, 2008.

/s/ Charles S. Miller, Jr
Charles S. Miller, Jr.
United States Magistrate Judge